

**DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION**

Page 1 of 2

Docket No. DC-0010/CON

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the sole, original and first inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Orthoester Protecting Groups**, the specification of which:

- is attached hereto.
 was filed on **February 14, 2000**, as United States Application Serial No. **09/503,569**.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56.

I hereby claim foreign priority benefits under 35 USC §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Number: Country: Date Filed: (day/mo/yr) Priority not claimed

I hereby claim the benefit under 35 USC §119(e) of any United States provisional application(s) listed below.

Application Number: Filing Date: (mo/day/yr)

I hereby claim the benefit under 35 USC §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 USC §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

Application Number: Filing Date: (mo/day/yr) Status - patented, pending, abandoned
09/032,623 February 27, 1998 Pending

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Barry J. Swanson, #33,215
Thomas D. Bratschun, #32,966

Rosemary Kellogg, #39,726
Margaret M. Wall, #33,462

Address all telephone calls to:
Address all correspondence to:

Barry J. Swanson at telephone number 303-268-0066
Barry J. Swanson
Swanson & Bratschun, L.L.C.
1745 Shea Center Drive, Suite 330
Highlands Ranch, Colorado 80126

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 USC §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name): Stephen Scaringe

Inventor's signature: Stephen Scaringe

Date: 6/22/00

Residence: Boulder, Colorado

Citizenship: US

Post Office Address: 2835 Northbrook, Apt. B
Boulder, Colorado 80304

Additional inventors are being named on separately numbered sheets attached hereto.

L:\WPDOCS\DHARMACON\Continuation\Declaration.wpd-EAM